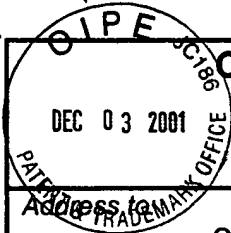


12-12-01

CPA/1615#



# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d)) ☐ DUPLICATE

Address to:  
Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.	JAB-1267
First Named Inventor	Embrecht
Express Mail Label No.	EL710606099

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This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/403,056, filed on October 13, 1999, entitled COMPOSITIONS CONTAINING AN ANTIFUNGAL AND A PHOSPHOLIPID.

12/Regander  
1-53(b)

## NOTES

**C-IP NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

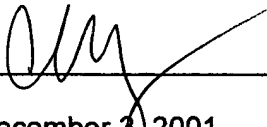
**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

Ref  
12-2001

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 (Amendment After Final Rejection) in the prior nonprovisional application.
- ☒ A Preliminary Amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new Power of Attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS Citations

CLAIMS	(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Calculations
	Total Claims (37 CFR 1.16(c))	19 - 20 =	0	x\$18.00	\$ 0.00
	Independent Claims (37 CFR 1.16(b))	2 - 3 =	0	x\$ 84.00	\$ 0.00
	Multiple Dependent Claims (if applicable) (37 CFR 1.16(d))				
				x\$280.00	
				<b>Basic Fee</b> (37 CFR 1.16(a))	\$ 740.00
			<b>Total of above Calculations =</b>		\$ 740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				
	<b>TOTAL =</b>				
6. <input checked="" type="checkbox"/> The commissioner is hereby authorized to credit overpayments or charge fees required by this paper to Deposit Account No. 10-0750/JAB-1267/MGM.					
7. <input type="checkbox"/> A check in the amount of \$        is enclosed.					
8. <input type="checkbox"/> Other:					
<b>NOTE:</b> <i>The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.</i>					
<b>9. CORRESPONDENCE ADDRESS</b>					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label <b>000027777</b> or <input type="checkbox"/> Correspondence Address below					
Name: Philip S. Johnson, Esq. Address: Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 USA					
<b>10. TELEPHONE CONTACT</b>					
Please direct all telephone calls or telefaxes to Michele G. Mangini at: Telephone: (732) 524-2810        Fax: (732) 524-2808					
<b>11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>					
NAME	Michele G. Mangini				
SIGNATURE					
DATE	December 3, 2001				



DOCKET NO. J-1267

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

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Applicant: Embrechts

Serial No.: 09/403,056

For : COMPOSITIONS CONTAINING AN ANTIFUNGAL  
AND A PHOSPHOLIPID

Express Mail Certificate

"Express Mail" mailing number: EL710606099US

Date of Deposit: 3 December 2001

I hereby certify that this Continued Prosecution Application (CPA) Request Transmittal (including 2 pgs. of transmittal), and Preliminary Amendment, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Hon. Commissioner of Patents & Trademarks, Washington, D.C. 20231, Box CPA.

Karen Hall-Morgan

(Typed or printed name of person mailing paper or fee)

Karen Hall-Morgan

(Signature of person mailing paper or fee)